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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/654,815	09/05/2000	Shell S. Simpson	10002267	7462

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EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/654,815	Applicant(s) SIMPSON, SHELL S.	
	Examiner Saeid Ebrahimi-dehKordy	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 6-10, 14-16, 20-23, 26 and 31-33 is/are rejected.
- 7) ☒ Claim(s) 2-5, 11-13, 17-19, 24-25 and 27-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> |

Response to Arguments

1. Applicant's arguments with respect to claim1-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim1,6-8,16,26 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirakawa (U.S. patent 5,940,652) in view of Hamamoto et al (U.S. patent 6,594,028)

Regarding claim 1,16 and 26 Hirakawa discloses: A system for tracking time and date with a printer and managing that printer accordingly (please note Fig.5 the centers or clients 1 and 2 and the copiers1-n, column 4 lines 66-67 and column 5 lines 1-14) the system comprising: a printer having a clock circuit (please note Fig.4 clock "CL", column 5 lines 6-8) and one or more printer clients (please note Fig.5 the centers which are the clients, column 4 lines 66-67 and column 5 lines 1-5) each having a clock circuit (please note column 5 lines 10-13 which transmits the date and time to the printer among other data, Hirakawa teaches each of the client having a clock circuit, which is inherently taught since the clients are providing time/date to the printer) and said printer extracts said

Art Unit: 2626

time/date data from said print job transmission and uses said time/date data to set or adjust said clock circuit of said printer (please note column 5 lines 9-13 where the date/time is transmitted from the host or centers to the copier and the set the printer's time and date). However Hirakawa does not quite disclose: wherein: a printer driver of said printer client appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer . On the other hand Hamamoto et al disclose: wherein: a printer driver of said printer client appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer (please note column 2 lines 9-17 and also column 83 lines 32-40 where the print driver is optimized to be able to transmit the date and time among other data from the computing device to the printer and modify the time on the printer as well. Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Hirakawa's invention according to the teaching of Hamamoto et al, where Hamamoto et al in the same field of endeavor teach the way the communication data including date and time is transmitted from the computer to the printer by use of the printer driver for the purpose of making even further refinements to the modification made to the printer.

Regarding claim 6 Hirakawa discloses: The system of claim 1, wherein said clock circuit of said printer is connected to a battery as a back-up power source (please note column 4 lines 40-50).

Regarding claim 7 Hamamoto et al disclose: The system of claim 1, wherein said printer is maintained in an operating mode during pre-defined hours

Art Unit: 2626

and days based on output from said clock circuit of said printer (please note column 87 lines 65-67 and column 88 lines 1-14)

Regarding claim 8 Hamamoto et al disclose: The system of claim 1, wherein said printer avoids performing a calibration procedure during pre-defined hours and days based on output from said clock circuit of said printer (please note column 88 lines 7-14).

Regarding claim 31 Hirakawa discloses: The system of claim 26, wherein said clock circuit of said printer is connected to a battery as a back-up power source (please note column 4 lines 40-50).

Regarding claim 32 Hamamoto et al disclose: The system of claim 26, wherein said printer is maintained in an operating mode during pre-defined hours and days based on output from said clock circuit of said printer (please note column 87 lines 65-67 and column 88 lines 1-14).

Regarding claim 33 Hamamoto et al disclose: The system of claim 26, wherein said printer avoids performing a calibration procedure during pre-defined hours and days based on output from said clock circuit of said printer (please note column 88 lines 7-14).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the

Art Unit: 2626

international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 9, 14-15 and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Hamamoto et al (U.S. patent 6,594,028)

Regarding claim 9 and 22 Hamamoto et al disclose: A method of tracking time and date with a printer and managing that printer accordingly (please note Fig.68, column 83 lines 32-40 where the computer checks and modifies the status of the printer based on computer's for example date and time) the method comprising: appending time/date data to a print job sent to said printer from a printer client having a clock circuit (please note column 2 lines 9-17 and column 83 lines 32-40 where the computer printer driver is set to modify the operation of the printer with accordance with the time and date of the computer as taught by Hirakawa computer having a clock which is inherently taught since the computer are providing time/date to the printer).

Regarding claim 14 Hamamoto et al disclose: The method of claim 9, further comprising maintaining said printer in an operating mode during pre-defined hours and days based on output from said clock circuit of said printer (please note column 87 lines 65-67 and column 88 lines 1-14).

Regarding claim 15 Hamamoto et al disclose: The method of claim 9, further comprising avoiding performance a calibration procedure during pre-defined hours and days based on output from said clock circuit of said printer (please note column 88 lines 7-14).

Regarding claim 20 Hamamoto et al disclose: The system of claim 16, further comprising means for maintaining said printer in an operating mode

Art Unit: 2626

during pre-defined hours and days based on output from said clock circuit of said printer (please note column 87 lines 65-67 and column 88 lines 1-14)

Regarding claim 21 Hamamoto et al disclose: The system of claim 16, further comprising means for avoiding performance a calibration procedure during pre-defined hours and days based on output from said clock circuit of said printer (please note column 88 lines 7-14).

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 10 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamamoto et al (U.S. patent 6,594,028) in view of Hirakawa (U.S. patent 5,940,652)

Regarding claim 10 and 23 Hamamoto et al does not quite teach: The method of claim 9, further comprising, extracting said time/date data from said print job and using said time/date data to set or adjust a clock circuit of said printer. On the other hand Hirakawa disclose: The method of claim 9, further comprising, extracting said time/date data from said print job and using said time/date data to set or adjust a clock circuit of said printer (please note column 5 lines 9-13 where the date/time is transmitted from the host or centers to the copier and the set the printer's time and date).

Allowable Subject Matter

8. Claim 2-5,11-13,17-19,24-25 and 27-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The comparing the received time and date by the printer with the other jobs received date and time to set the time for the printer is not taught by the prior art.

Contact Information

➤ Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for **formal** communications;
please mark
"EXPEDITED PROCEDURE")

Or:

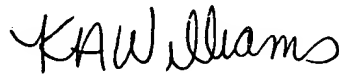
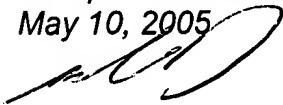
(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or **"DRAFT"**)

Art Unit: 2626

Hand delivered responses should be brought to Knox building on 501 Dulany Street, Alexandria, VA.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
May 10, 2005



KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER